

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: SB 316 High School Diplomas/Vietnam War Veterans

SPONSOR(S): Constantine and others

TIED BILLS: **IDEN./SIM. BILLS:**

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Policy Council	21 Y, 0 N	Phillips	Hogge
2)				
3)				
4)				
5)				

SUMMARY ANALYSIS

Currently, Section 1003.43, Florida Statutes, allows the Commissioner of Education to award a standard high school diploma to certain veterans who served in World War II and the Korean War, respectively, and were unable to complete their diploma requirements due to their service.

Senate Bill 316 mirrors current law with respect to veterans of World War II and the Korean War by:

- Authorizing the Commissioner of Education to award a standard high school diploma to honorably discharged veterans of the Vietnam Era¹ who did not complete their graduation requirements; and,
- Providing that the State Board of Education, upon the recommendation of the Commissioner, may develop criteria and guidelines for awarding the diplomas.

The Department of Education (DOE) indicates that they may experience a slight workload increase if diplomas are granted to Vietnam Era veterans; however, there would be no need for a budgetary increase.²

The bill is effective July 1, 2009.

¹ February 28, 1961, to May 7, 1975.

² Florida Department of Education Bill Analysis, January 26, 2009

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Section 1003.43, Florida Statutes, establishes the general requirements for receiving a standard high school diploma. This provision allows the commissioner to award a standard high school diploma to certain veterans who served in World War II and the Korean War, respectively, and were unable to complete their diploma requirements due to their service. To date, the Department of Education (DOE) has issued 523 diplomas to Korean War veterans.³

Specifically, the Commissioner of Education may award a standard high school diploma to honorably discharged World War II veterans who:

- Began high school between 1937 and 1946 and were scheduled to graduate between 1941 and 1950;
- Were inducted into the U.S. Armed Forces between September 1940 and December 1946; and,
- Served prior to completing the necessary high school graduation requirements.

Likewise, the Commissioner of Education may award a standard high school diploma to honorably discharged veterans of the Korean War who:

- Began high school between 1946 and 1950 and were scheduled to graduate between 1949 and 1955;
- Were inducted into the U.S. Armed Forces between June 1949 and January 1955; and,
- Served during the Korean War prior to completing the necessary high school graduation requirements.

In the absence of this law, a veteran who had been inducted and served in World War II and the Korean War prior to completing all high school graduation requirements would not receive a standard high school diploma unless he had returned to school after his military service and completed all requirements.

Section 1.01(14), F.S., in addition to defining the term "veteran", establishes February 28, 1961, through May 7, 1975, as the Vietnam Era for the authorization of veterans' benefits, as well as other

³ See *supra* note 2.

uses under the law. These dates are consistent with Federal law for purposes of determining veterans' benefits.

Male registrants were subject to induction into the military through their local Draft Boards during all three periods, i.e., World War II, Korea, and the Vietnam Era. On December 1, 1969, the first Selective Service draft lottery since 1942 was conducted in order to call registrants for induction in 1970. Registrants born between January 1, 1944 and December 31, 1950 were eligible in that lottery. Subsequent lotteries were held in 1970, 1971, and 1972. A registrant who was classified as available immediately for military service (1-A) could accept the call for induction or apply for a student deferment if eligible. A high school student may have induction postponed until graduation or age 20.⁴

More than 1.8 million men nationwide were inducted during the Vietnam Era.⁵ Twenty-one percent of males who served in Vietnam had less than a high school education.⁶ Women who served in the military during the Vietnam Era were volunteers and not subject to the draft. The number of Floridians who were inducted or who volunteered for service prior to high school graduation is unknown.

Senate Bill 316 mirrors current law with respect to veterans of World War II and the Korean War by:

- Authorizing the Commissioner of Education to award a standard high school diploma to honorably discharged veterans of the Vietnam Era who were inducted into the United States Armed Forces during the Vietnam Era before completing their high school graduation requirements; and,
- Providing that the State Board of Education, upon the recommendation of the Commissioner, may develop criteria and guidelines for awarding such diplomas.

The bill provides for the act to take effect on July 1, 2009.

B. SECTION DIRECTORY:

Section 1. Declares that the act may be cited as the "Corporal Larry E. Smedley Vietnam Veterans High School Diploma Act".

Section 2. Amends section 1003.43, F.S.

Section 3. Provides an effective date of July 1, 2009.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

⁴ U. S. Selective Service System, <http://www.sss.gov>.

⁵ *Id.*

⁶ Mobile Riverine Force Association, <http://www.mrfa.org/vnstats.htm>.

2. Expenditures:

The DOE indicates that they may experience a slight workload increase if diplomas are granted to Vietnam Era veterans; however, there would be no need for a budgetary increase.⁷

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The department appears to have sufficient rulemaking authority to implement the provisions of the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

None.

⁷ See *supra* note 2.